

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION**

SOPHIA HARDIGREE,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

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Case No. 3:08-cv-19-CDL-GMF

RECOMMENDATION

Presently pending before the Court is Plaintiff's counsel's Motion for Attorney's Fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d). As allowed by the EAJA, Plaintiff filed a motion for attorney's fees and costs on March 3, 2009. (R-14). Plaintiff seeks an award of attorney's fees in the amount of \$2926.25, based upon an hourly rate of \$125.00 for 22.55 attorney work hours and \$60.00 for 1.8 paralegal work hours. Defendant has no objection to the dollar amount requested by Plaintiff's counsel under the EAJA. Accordingly, Plaintiff's counsel has met his burden, and it is recommended that the Motion for Attorney's Fees under the EAJA be granted in the amount requested. Here, the fees at issue are properly awarded to Plaintiff's counsel based on the Assignment of Attorney's Fees of March 19, 2009, executed by Plaintiff and her counsel. (R-16-2).

WHEREFORE, it is the recommendation to the United States District Judge that Plaintiff's Motion for Attorney's fees pursuant to 28 U.S.C. § 2412 (d) be **GRANTED** and

that payment be paid and forwarded directly to Plaintiff's counsel in the amount of \$2926.25. Pursuant to 28 U.S.C. § 636(b)(1), the parties may serve and file written objections to the Recommendation with the United States District Judge within ten (10) days after being served a copy.

SO RECOMMENDED, this 27th day of March, 2009.

S/ G. MALLON FAIRCLOTH
UNITED STATES MAGISTRATE JUDGE

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